



General Assembly

January Session, 2013

**Committee Bill No. 115**

LCO No. 5275



Referred to Committee on PUBLIC HEALTH

Introduced by:  
(PH)

***AN ACT CONCERNING RESIDENTIAL NURSING HOME FACILITIES  
SERVING INMATES AND MENTAL HEALTH PATIENTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 18-100i of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The Commissioner of Correction, at the commissioner's  
4 discretion, may release an inmate from the commissioner's custody,  
5 except an inmate convicted of sexual assault under the provisions of  
6 sections 53a-70 to 53a-71, inclusive, 53a-72a, 53a-72b and 53a-73a, a  
7 capital felony under the provisions of section 53a-54b in effect prior to  
8 April 25, 2012, or murder with special circumstances under the  
9 provisions of section 53a-54b in effect on or after April 25, 2012, for  
10 placement in a licensed community-based nursing home under  
11 contract with the state for the purpose of providing palliative and end-  
12 of-life care to the inmate if the medical director of the Department of  
13 Correction determines that the inmate is suffering from a terminal  
14 condition, disease or syndrome, or is so debilitated or incapacitated by  
15 a terminal condition, disease or syndrome as to (1) require continuous  
16 palliative or end-of-life care, or (2) be physically incapable of

17 presenting a danger to society.

18 (b) The Commissioner of Correction may require as a condition of  
19 release under subsection (a) of this section that the medical director  
20 conduct periodic medical review and diagnosis of the inmate during  
21 such release. An inmate released pursuant to subsection (a) of this  
22 section shall be returned to the custody of the Commissioner of  
23 Correction if the medical director determines that the inmate no longer  
24 meets the criteria for release under subsection (a) of this section.

25 (c) Any inmate released from the custody of the Commissioner of  
26 Correction pursuant to subsection (a) of this section shall be  
27 supervised in the community by the Department of Correction.

28 (d) Nothing in this section shall be construed to limit any powers  
29 lawfully exercised by any zoning commission or any planning and  
30 zoning commission pursuant to chapter 124.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	18-100i

**Statement of Purpose:**

To prohibit the Commissioner of Correction from releasing inmates convicted of sexual assault for placement in a community-based nursing home and to provide that powers of local zoning commissions are not restricted.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: SEN. DOYLE, 9th Dist.; REP. GUERRERA, 29th Dist.  
REP. RITTER E., 38th Dist.; SEN. STILLMAN, 20th Dist.  
REP. BETTS, 78th Dist.

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